

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): HOSTETTER et al.

Docket No.: 110.0058 0102

Title: HUMAN COMPLEMENT C3-BINDING PROTEIN FROM STREPTOCOCCUS PNEUMONIAE

01004 U.S. PTO
10/682595
100903

Assistant Commissioner for Patents
Mail Stop PATENT APPLICATION
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

☒ UTILITY DIVISIONAL PATENT APPLICATION including:
☒ Specification (48 consecutively numbered pgs, including 74 claims on 9 Consecutively numbered pgs and a 1 pg

Abstract);

☒ Drawings (2 sheets);
☐ A signed/unsigned Declaration and Power of Attorney (_ pgs).

☒ Application Data Sheet (3 pgs).

☒ An itemized return postcard.

☐ An Assignment of the invention to _ and Recordation Form Cover Sheet.

☐ A check in the amount of \$40.00 to pay the Assignment Recording Fee.

☐ A certified copy of a _ application, Serial No. _, filed _, the right of priority of which is claimed under 35 U.S.C. §119.

☐ Computer readable form of "Sequence Listing." Applicants state that the paper copy form of the "Sequence Listing" section of the present application, and the computer readable form submitted herewith, are the same.

☒ Other: PRELIMINARY AMENDMENT (9 PGS.); REQUEST FOR TRANSFER OF COMPUTER READABLE FORM OF SEQUENCE LISTING (1 PG); PAPER COPY OF SEQUENCE LISTING (5 PGS.); COPIES OF DECLARATION AND POWER OF ATTORNEY FROM PARENT APPLICATION (8 PGS.)

☒ A check in the amount of \$2054. to pay the filing fee, which is calculated below:

APPLICATION FILING FEE					
	Number of Pending Claims (1)	Claims Included in Basic Filing Fee (2)	Number of Extra Claims (1-2)	Cost per Extra Claim	Fee Required
Total Claims	34	- 20 =	14	x \$18 =	252.
Independent Claims	15	- 3 =	12	x \$86 =	1032.
One or More Multiple Dependent Claims Presented? If Yes, Enter \$290 Here →					
Enter Basic Filing Fee (Utility Patent-\$770) Here →					770.
Total Application Filing Fee					2054.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.
Customer Number: 26813

By: Ann M. Mueeting
Name: Ann M. Mueeting
Reg. No.: 33,977
Direct Dial: 612-305-1217
Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV073688223 US

Date of Deposit: 10-9-03

I hereby certify that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Mail Stop PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Sandy Truehart
Name: Sandy Truehart

(LARGE ENTITY TRANSMITTAL UNDER RULE 1.10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket Number	Anticipated Classification		Prior Application	
110.0058 0102	Class	Subclass	Examiner R.A. Zeman	Art Unit 1645

**REQUEST FOR FILING A DIVISIONAL PATENT APPLICATION
UNDER RULE 1.53(b)**

Assistant Commissioner for Patents
Mail Stop PATENT APPLICATION
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 CFR §1.53(b) of Serial No.09/403,422, Confirmation No.7258, filed on October 19, 1999, which is a 371 of PCT/US98/08281 filed 04/24/98, which claims the benefit of Provisional Application No. 60/044,316 filed 04/24/97, by the following inventors.

Margaret K. Hostetter
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USA Citizen

1. ☐ Enclosed is a copy of the specification (including claims, abstract, and drawings) as filed in the prior application.
2. ☒ Enclosed is a new specification (including claims and abstract). The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference. No new matter has been added.
3. ☒ Enclosed is a copy of the Declaration and Power of Attorney filed in the prior application.

Request for Filing a Divisional Application Under Rule §1.53(b)

Filed: Herewith

Title: HUMAN COMPLEMENT C3-BINDING PROTEIN FROM STREPTOCOCCUS PNEUMONIAE

4. Enclosed is a newly executed Declaration and Power of Attorney.
5. X Enclosed are formal drawings (2 sheets).
6. X Before calculating the filing fee, cancel in this application claims 1-19, 25-43, 45 and 46, and add new claims 47-74, as described in the attached Preliminary Amendment. (At least one independent claim must be retained for filing purposes.)
7. X A preliminary amendment is enclosed.
8. X The filing fee is calculated below:

CLAIMS AS FILED			
NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770
Total Claims 34-20 =	14	\$18	\$252
Independent Claims 15 -3 =	12	\$86	\$1032
MULTIPLE DEPENDENT CLAIM PRESENTED		\$290/\$145	\$
FILING FEE:			\$2054

9. X A check in the amount of \$2054 is attached.
10. X The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-4895.
11. This application is being filed by less than all of the inventors named in the prior application. Please delete the names of the following inventor(s) who are not inventors of the invention claimed in the present application:
12. X Please amend the paragraph beginning at page 1, line 14, of the specification to read: **This application is a divisional application of Serial No. 09/403,422, filed on October 19, 1999, which is a 371 of PCT/US98/08281, filed April 24, 1998, which claims the benefit of Provisional Application No. 60/044,316, filed on April 24, 1997.**
13. X The prior application is assigned of record to REGENTS OF THE UNIVERSITY OF MINNESOTA.

Request for Filing a Divisional Application Under Rule §1.53(b)

Filed: Herewith

Title: HUMAN COMPLEMENT C3-BINDING PROTEIN FROM STREPTOCOCCUS PNEUMONIAE

14. X The Power of Attorney in the prior application is to:

ANN M. MUETING
Mueting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Customer Number 26813

15. Small Entity Status is entitled to be asserted in the above-identified application.

16. X Application Data Sheet.

Address all future communications to:

MUETING, RAASCH & GEBHARDT, P.A.
P.O. Box 581415
Minneapolis, Minnesota 55458-1415
Customer Number 26813

Attn: Ann M. Mueting
(Telephone: 612-305-1220)
(Facsimile: 612-305-1228)

Date: Oct. 9, 2003

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Direct Dial (612)305-1217

"Express Mail" mailing label number <u>EV 073688223 US</u>	
Date of Deposit <u>10-9-03</u>	
I hereby certify that this paper and/or fee is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Mail Stop PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Sandy Truehart</u> Name: <u>Sandy Truehart</u>	